

UNITED STATES DISTRICT COURT

for the

District of Massachusetts

Mark C Harper

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

(SH3) Massachusetts State Police organization
(3213) Ma state Police officer Booth

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

(to be filled in by the Clerk's Office)

Jury Trial: (check one)



Yes



No

COMPLAINT FOR A CIVIL CASE

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name

Mark C Harper

Street Address

144 charlame st

City and County

Boston, Suffolk county

State and Zip Code

Massachusetts 02119

Telephone Number

857-271-8469

E-mail Address

marcris_morhop@yahoo.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name Massachusetts State Police
Job or Title *(if known)* _____
Street Address _____
City and County _____
State and Zip Code Massachusetts
Telephone Number _____
E-mail Address *(if known)* _____

Defendant No. 2

Name Officer Booth (3213) badge #
Job or Title *(if known)* Ma state Police officer
Street Address _____
City and County _____
State and Zip Code Massachusetts
Telephone Number _____
E-mail Address *(if known)* _____

Defendant No. 3

Name _____
Job or Title *(if known)* _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address *(if known)* _____

Defendant No. 4

Name _____
Job or Title *(if known)* _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address *(if known)* _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? (check all that apply)

☒ Federal question ☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Ma state police officer Booth denied me my right to travel violating me the right to Life, Liberty, and the pursuit of happiness.
See attached document

B. If the Basis for Jurisdiction Is Diversity of Citizenship**1. The Plaintiff(s)****a. If the plaintiff is an individual**

The plaintiff, (name) _____, is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation

The plaintiff, (name) _____, is incorporated under the laws of the State of (name) _____ and has its principal place of business in the State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)**a. If the defendant is an individual**

The defendant, (name) _____, is a citizen of the State of (name) Ma State Police organization Or is a citizen of (foreign nation) _____.

b. If the defendant is a corporation

The defendant, (name) Ma State Police, is incorporated under the laws of the State of (name) Ma, and has its principal place of business in the State of (name) Ma.
Or is incorporated under the laws of (foreign nation) USA, and has its principal place of business in (name) Ma.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy \$250,000

The amount in controversy-the amount the plaintiff claims the defendant owes or the amount at stake-is more than \$75,000, not counting interest and costs of court, because (explain):

Ma, State Police officer Booth violated my Constitutional Rights denying me freedom to travel and carjacked me of my vehicle while causing me to have a heart attack while racial profiling therefore I'm begging the courts to award me \$250,000 for pain and suffering.

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 02-20-2017

Signature of Plaintiff

Printed Name of Plaintiff

Mark C Harper
Mark C Harper

B. For Attorneys

Date of signing: _____

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address

III Statement of Claim

Plaintiff: Mark C. Harper 144 Charlene St
Boston, Ma 02119

Defendant: Massachusetts state Police Organization
470 Worcester Road Framingham, Ma 01702

Defendant: Massachusetts state Police
officer Booth (3213) Badge Number
470 Worcester Road Framingham, Ma 01702

Massachusetts state Police officer
Booth violated my civil rights denying
me the freedom to travel and racial
profiling leading up to me having a
heart attack.

1. Ma state Police officer Booth (3213)
Racial Profile me violating my human
rights -

2. Ma state Police officer Booth denied
my right Freedom to travel and carjacked
me for my vehicle illegally and unlawfully
which led me to have a heart attack.

3. I am seeking \$250,000 in damages
and i want officer Booth to stop
violating people human rights and ultimately
Fired -

①

On 02-02-17 I Mark Harper was traveling freely in my own property on Highway I95 North minding my own business, not having committed a crime nor causing an accident nor was i speeding because I had my cruise control on 45 mph I observe Ma State Police officer Booth drive past me looking over at me drive as i was going Northbound on I95 going to Boston Medical Center as i was having severe chest pain and i observe office Booth pull over and stopped on the far right median and i continued driving then approximately a mile ahead I saw a flashing light in my rear view mirror and i looked around to see if there was a Emergency which it was not so i pulled over to the right median at about 8:15 a.m Officer Booth walked to the passenger side of my S.U.V i cracked my passenger window and asked officer Booth what was the Emergency and he stated there is not an Emergency and i asked why are your lights on and why are you pulling me over he ask for my license and registration and i ask him, am i suspected of a crime? he stated not yet and at that point i got really scared and my chest pain increased, so i asked officer

Booth am i being Arrested or Detained
he said NO, and i stated that i need
to get to Boston Medical center i'm
having severe chest pains then he
told me to step out of my own
property and i stated you have NO
reason for harassing me i haven't
committed a crime or hurt anyone
then he stood in front of my vehicle
and talked on his radio and called
his seargeant and he walk up and
ordered me out my vehicle so i cracked
my window and handed officer Booth
my license and he ran my name
while i was sitting in my property
weasing from shortness of breath while
i was having a heart attack, a tow
truck pulled over and officer Booth
and his supervisor was ordering me
out my property for no apparent
cause at all I was not going to
get out of my property(vehicle) but
then they started talking Aggressive
threatening to throw me in jail
So i stepped out my property and
told the seargeant I haven't committed
a crime and that you're violating
my civil right to travel, and officer
Booth told me that I wasn't going
to jail and that i haven't committed
a crime, but he ordered me give
the tow truck drive my Keys, i refused

Then he told the tow truck driver to just dragged my property on the truck so i gave the driver my keys and i told the officer i need to get to BMC Hospital he told me the tow truck driver would get me there, so i got in the tow truck as i was helpless and powerles while my car was being jacked and the tow driver dropped me at the shell gas station on exit 3A 123 East and as i walked toward the gas station i fell to the ground, at that point i call the Attleboro police about my carjacking and they stated nothing they could do so i ask them to send a ambulance because i was having very severe chest pains so they sent a ambulance they gave me nitro and rushed me to Sturdy memorial Hospital in Attleboro where they gave me dilautin, took tubes of blood from me and diagnosed me with a heart attack i have the paperwork to prove and as of today 02-21-17 my property is still seized sitting in a pound while i need it to find employment, so i conclude that officer Booth racial profiled me because instead of pulling over people that was speeding he pulled me over who was not doing anything wrong he drove past me initially

(7)

Saw my race and decided to pull me over harassing me and carjacking me, I felt violated now i know how rape victims feel he carjacked me and there was nothing i could do about it, i felt so hopeless and now my property i paid my hard earned money for has been taken from me for no reason at all, i wasn't given a ticket nor charged for a crime but i'm left without my vehicle and my life is miserable, I pray the Courts feel my pain and reward me what i deserve because i didn't deserve being harassed and Robbed and life in a chamble, I filed a complaint with the Massachusettes State Police and officer Booth has been placed under Internal affairs Investigation.

Mark Harper
2-21-17